

Judge Robert S. Lasnik

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

\$7,097.44 IN UNITED STATES CURRENCY
SEIZED FROM BOEING EMPLOYEES CREDIT
UNION MEMBER ACCOUNT NO.
XXXXXX6414, HELD IN THE NAME OF ERIC
J. SMITH; *et al.*

Defendants.

No. C14-1099RSL

[Proposed]

JUDGMENT OF FORFEITURE
AS TO ALL REMAINING
DEFENDANT PROPERTY

On July 18, 2014, the United States filed a Complaint for Forfeiture *in rem*, against the following defendant property in this matter:

1. \$7,097.44 in United States Currency seized from Boeing Employees Credit Union Member Account No. XXXXXX6414, held in the name of Eric J. Smith, (hereinafter referred to as "the defendant property.")

In its complaint, the United States alleges that the defendant property is subject to forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(A) and Title 31, United States Code, Section 5317(c)(2), for violations of Title 18, United States Code, Sections 1956(a)(2), 1956(a)(1)(A)(i), 1956(a)(1)(B)(i), and Title 31, United States Code, Section 5324(a)(3).

1 On July 18, 2014, the United States filed a Notice of Complaint for Forfeiture *In Rem*
2 in which all interested persons were advised to file their claims pursuant to Supplemental
3 Rule G(5) of the Federal Rules of Civil Procedure with the Clerk of the Court within thirty-
4 five (35) days after the date of service of the complaint and to serve their Answers to the
5 Complaint within twenty-one (21) days after filing a claim.

6 Notice of the forfeiture action was published on the www.forfeiture.gov website for at
7 least thirty (30) consecutive days, starting on August 14, 2014. All interested persons were
8 advised to file their claims pursuant to Supplemental Rule G(5) of the Federal Rules of Civil
9 Procedure with the Clerk of the Court within sixty (60) days after the first date of publication
10 and to serve their Answers to the Complaint within twenty-one (21) days after filing a claim.

11 Notice was effected on potential claimant, Eric Smith, pursuant to the Federal Rules
12 of Civil Procedure Supplemental Rule G(4)(b)(iii)(B) on August 11, 2014, by mailing copies
13 of the Verified Complaint for Forfeiture in rem, and Notice of Complaint for Forfeiture and
14 Warrant of Arrest in rem, via certified mail return receipt requested.

15 On September 7, 2014, Yolanda P Smith, filed a Claim of Ownership to the \$2,008.03
16 in United States Currency seized from Bank of America Account No. XXXX0188, held in
17 the name of Eric Smith and Yolanda Smith. In her Claim, Ms. Smith stated "I have no
18 interest in the Boeing Employees Credit Union account No. XXXXXXX6414."

19 On November 18, 2016, this Court approved a Stipulated Settlement Agreement
20 between the United States and Claimant Yolanda Smith wherein the United States agreed to
21 return the \$2,008.03 in U.S. Currency seized from Bank of America Account no.
22 XXXX0188, held in the name of Eric Smith and Yolanda Smith. Claimant Yolanda Smith
23 agreed she had no interest in the \$7,097.44 in United States Currency seized from Boeing
24 Employees Credit Union Member Account No. XXXXXXX6414, held in the name of Eric J.
25 Smith, and further agreed not to oppose a Motion for Judgment of Forfeiture of the defendant
26 property.

27 More than thirty-five (35) days have elapsed since Eric Smith was served with the
28 Complaint and related documents, and more than sixty (60) days have passed since notice of

1 the forfeiture action was published. Further, Eric Smith's interest in the defendant property
2 was forfeited by Preliminary Order of Forfeiture entered in the related matter *U.S. v. Eric*
3 *Smith*, Western District of Washington, Court Case o. CR15-0282-MJP.

4 All persons and entities believed to have an interest in the remaining defendant
5 property were given proper notice of the intended forfeiture. No other claim of interest has
6 been received as to the remaining defendant property, the time allowed for filing of such a
7 claim has expired, and all claimants that have come forward have settled their claims.

8 Now, therefore on motion by the Plaintiff, United States of America, for a Judgment
9 for Forfeiture as to the remaining Defendant property, it is hereby

10 **ORDERED, ADJUDGED AND DECREED** as follows:

11 1. This Court has jurisdiction over this action under Title 28, United States Code,
12 Sections 1345 and 1355, and venue pursuant to Title 28, United States Code, Section 1395.

13 2. Pursuant to Title 18, United States Code, Section 981(a)(1)(A) and Title 31,
14 United States Code, Section 5317(c)(2), the following property is hereby forfeited to the
15 United States of America, and no right, title, or interest in the defendant property shall exist
16 in any other party:

17 \$7,097.44 in United States Currency seized from Boeing Employees Credit
18 Union Member Account No. XXXXXX6414, held in the name of Eric J.
Smith.

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ROBERT S. LASNIK
United States District Court Judge

s/Richard E. Cohen

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